

## REMARKS

The Examiner in paragraph 1 has objected to the specification with respect to it containing hyperlinks and/or other forms of browser-executable codes. By this amendment applicant has corrected these, accordingly, this objection is no longer applicable.

With regard to paragraph 2, the Examiner has objected to the specification in that there is no Figure 7 provided. In this regard, applicants amend the description of the drawings to correspond to the drawings as filed by providing description of Figs. 7A and 7B. Appropriate support is found in the original drawings and on page 23, line 1 et al.

With regard to the objection in paragraph 3, the blank spaces have been filled with the appropriate application serial numbers.

Applicant have noted the numbering of the claims objection in paragraph 4. Applicant notes and appreciates that this will be corrected at such time as the application becomes ready for patent issuance.

With regard to the objection in paragraph 5, applicant respectfully submits that claim 7 is in the proper dependent form. In this regard, claim 7 is not directed solely to the camera, but the camera as configured according to the method of claim 1. Thus, claim 7 contains of the limitations of claim 1. As set forth in MPEP 608.01(n)(III), if a claim 1 recites a method of making a product, a claim for a product made by the method of claim 1 could be a proper dependent claim. In the present instance, the product of claim 7 is made by the method of claim 1. This is not simply a claim to a product that is set forth in claim 1 which is inappropriate, but is directed to the claim as configured according to the method of claim 1. Thus, claim 7 includes all of the limitations of claim 1 and is indeed appropriate.

The Examiner in paragraph 7 rejected claims 7 and 17-19 under 35 USC § 102(b) as being anticipated by Kitagawa et al. (5,819,126). In this regard, applicant respectfully submit that Kitagawa et al. does not teach or suggest the invention as set forth herein. In particular, with regard to claim 17, this claim is directed to a camera for capturing images which includes a firmware memory for storing a service identifier which identifies a service provider account. In addition, the service provider account specifies services to be provided by the

service provider. Thus, not only does the service identifier identify an account, the account specifies the particular services that are to be provided. In addition, the camera sets forth means for providing the captured images and the service identified to the service provider. The Kitagawa et al. reference is directed to simply recording information onto a photographic film or onto a IC memory provided on a film cartridge. There is no teaching or suggestion of providing a service identifier or which identifies a service provider account. Further, there is no teaching that the service provider account specifies services to be provided by the service provider. In Kitagawa et al., the information that is provided is provided by the camera user at the time of capture which is later read by the photofinishing lab. See column 1, lines 24-33 and lines 50-59. The Kitagawa et al. reference also discloses the use of a IC memory for providing the same information. See column 2, lines 17-27. This is in contrast to the present invention where a service identifier is provided which identifies a service account. There is no such teaching or suggestion for providing a service identifier, a service provider account, or that the provider account specify the goods and/or services to be provided. Furthermore, independent claim 17 sets forth that the means for providing the capturing of images and the service identifier to the service provider. Thus, the service identifier and the images are provided to the service provider. There is no teaching or suggestion in the cited art of providing this information to the service provider as taught and claimed by applicant.

The Examiner in paragraph 9 rejected claims 1-6 and 8-16 under 35 USC § 103(a) as being unpatentable over the admitted prior art described in the specification, in view of Kitagawa et al. In particular, the Examiner refers to the Dell computer system where custom computers are sold to the customer. This is in contrast to the present invention, claim 1 which is directed to a lease arrangement wherein the camera is configured in accordance with a particular configuration. In addition, a service user account is established which specifies the selected services that are provided with the images captured by the camera. The Dell system does not teach or suggest the lease for a configuration camera as taught and claimed by applicant, nor does it teach or suggest the providing of a payment identifier specifying account to be debited for the configured camera system. Nor does it teach or suggest the providing of services with respect to

images captured by the camera. The Dell system simply provides a configured computer in accordance with selections available to the user. There is nothing that teaches or suggests that the output of the computer if there is any, is sent to a provider for providing of selective services with respect to the use of the computer. In the present invention, use of the configured camera results in the providing of a selected services designated with respect to a user account. There is no teaching or suggestion in the Dell system of providing such a feature. Further, since the Dell system is directed to assembling of computers it would not be obvious to combine this with Kitagawa et al. to obtain a system for programming cameras as taught and claimed by applicant. The Kitagawa et al. references is merely directed to a camera system wherein information is recorded onto the film or cartridge that is used by the photo lab. There is no motivation, teaching or suggestion in the Kitagawa et al. reference to combine this with the Dell system of selling computers. First as is quite obvious, the Kitagawa et al. reference is directed to a product totally apart and distinct from the selling of computers. There would be no motivation by one of ordinary skill in the art of providing a lease camera system to combine Kitagawa et al. with the Dell system of selling computers. Computers do not capture images but are merely used for processing digital information. This is in contrast to a digital camera which captures images. Service providers take the digital images and provide goods and/or services on these captured images. There is no nexus for combining the Dell system with Kitagawa et al.. The combination as suggested by the Examiner is based on mere speculation. Furthermore, even if the two references were to be combined, which there is no motivation to do so, they would still lack the providing of a payment identifier which specifies an account to be debited with respect to services provided by the camera nor the providing of specific services that are to be provided with respect to such captured images.

In view of the foregoing applicant respectfully submits that the cited references do not teach or suggest the invention as taught and claimed by applicant.

In view of the foregoing applicant respectfully submits that the application is in condition for allowance and such action is respectfully requested.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page(s) is captioned "**Version with Markings to Show Changes Made**".

Respectfully submitted,



Attorney for Applicants  
Registration No. 27,370

Frank Pincelli/djw  
Rochester, NY 14650  
Telephone: (716) 588-2728  
Facsimile: (716) 477-4646

**Version With Markings to Show Changes Made**

**In the Specification:**

The paragraph beginning on page 1, line 4 has been amended as set forth below:

Reference is made to commonly-assigned U.S. Patent Application Serial No. \_\_\_\_\_ (docket 80722)09/534,469, filed concurrently herewith, entitled "Configuring and Purchasing Imaging Devices" to Parulski, commonly-assigned U.S. Patent Application Serial No. \_\_\_\_\_ (docket 80723)09/534,470, filed concurrently herewith, entitled "Purchasing Configured Photographic Film Products" to Parulski, and commonly-assigned U.S. Provisional Patent Application Serial No. 60/137,078, filed June 2, 1999 entitled "Method and Apparatus for Providing a User Customizable Digital Camera" to Girish Prabhu et al.

The paragraph beginning on page 1, line 31 has been amended as set forth below:

U.S. Patent No. 5,960,411 discloses an arrangement for ordering merchandise over the Internet. Computers can also be ordered over the Internet. See, for example, the Dell computer Internet site at [www.dell.com](http://www.dell.com). Using this site, different configurations of a Dell computer can be purchased. The customer can buy a "standard" configuration of a particular model computer, or can instead select (using pull-down menus) various options. A "learn more" link next to each option enables the user to understand the differences between these options in order to select the most appropriate option. Prior art patents related to customizing computer systems include U.S. Patent No. 5,894,571, U.S. Patent No. 5,995,757 and U.S. Patent No. 5,991,543, and U.S. Patent No. 5,963,743. These patents relate to ordering selected equipment over the Internet, but the equipment that is produced is defined entirely by the user selections from pre-existing menus. The user does not upload personal data or digital images that are used to personalize the computers or other merchandise.

The paragraph beginning on page 3, line 1 has been amended as set forth below:

On a web page found at <http://www.bestcameras.com> the web site for bestcameras a user can order single-use cameras in a variety of cover designs. The user can call a phone number posted at the web site and have a template mailed to the user in Adobe Illustrator format. The user can modify the design in the template and mail back the file, where it can be printed and attached to the outside case of a single use camera. The user can also order single use cameras online. The user can choose between several printed paper cover style options, and can personalize the cover with a text message imprinted using the color of text that he or she selects.

The paragraph beginning on page 3, line 9 has been amended as set forth below:

The camera company (<http://www.thecamera.co.uk>) web site enables a user to order customized single use cameras. The customer mails the company logo, photographs, or other literature to the company, which designs a camera for the customer, having a customized printed paper cover for a group of cameras.

The paragraph beginning on page 4, line 25 has been amended as set forth below:

FIG. 7a depicts a front perspective view of a one-time use film camera that can be personalized as part of the purchase transaction;

Please add the following new paragraph on page 4, after line 26 as set forth below:

FIG. 7b depicts a rear perspective view of the film camera of 7a;

**In the Claims:**

Claims 1 and 9 have been amended as set forth below:

1. A method for a customer leasing a configured camera system including a camera and services for using such configured camera system and paying for the lease of such configured camera system, comprising the steps of:

(a) providing an electronic database of information describing a plurality of differently configured camera systems which have different features and services that can be selected by the customer via a digital communications network;

(b) displaying at the customer's location remote from the electronic database various components of the camera system that can be combined into the configured camera system;

(c) the customer selecting desired components and services to provide the configured camera system and completing a lease agreement and providing a payment identifier specifying an account to be debited to pay for the configured camera system; and

(d) sending the camera to a designee of the customer and establishing a service user account that specify the selected services that the designee can use with respect to the images captured by said camera.

9. A method for a customer leasing a camera system including a camera and services for using such camera system and paying for the lease of such camera system, comprising the steps of:

(a) providing an electronic database of information describing at least one camera system which has services that can be selected by the customer via a digital communications network with respect to images captured by said camera;

(b) displaying at the customer's location remote from the electronic database the various services of the at least one camera system that can be selected by the customer;

- (c) the customer selecting desired services and completing a lease agreement and providing a payment identifier specifying an account to be debited to pay for the selected services;
- (d) establishing a service user account that specifies the selected services that the designee can use;
- (e) storing in the camera, a service identifier corresponding to the service user account; and
- (f) sending the camera to a designee of the customer.

**-End of document-**